

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-02596-RCL**

NATIONAL IMMIGRATION PROJECT OF THE NATIONAL
LAWYERS GUILD v. U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT et al

Assigned to: Judge Royce C. Lamberth

Demand: \$0

Cause: 05:552 Freedom of Information Act

Date Filed: 12/05/2017

Jury Demand: None

Nature of Suit: 895 Freedom of

Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

**NATIONAL IMMIGRATION
PROJECT OF THE NATIONAL
LAWYERS GUILD**

represented by **Cormac A. Early**
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TERMINATED: 10/28/2019

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V.

Defendant

**U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT**

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TERMINATED: 03/04/2020

Defendant

**UNITED STATES DEPARTMENT OF
HOMELAND SECURITY**

represented by **Benton Gregory Peterson**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Robert Aaron Caplen
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

William Mark Nebeker
(See above for address)
TERMINATED: 03/04/2020

Date Filed	#	Docket Text
12/05/2017	<u>1</u>	COMPLAINT against ALL DEFENDANTS (Filing fee \$ 400 receipt number 0090-5233358) filed by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons USAG Summons, # <u>3</u> Summons ICE Summons, # <u>4</u> Summons DHS Summons, # <u>5</u> Summons DC USA Summons, # <u>6</u> Exhibit A, # <u>7</u> Exhibit B, # <u>8</u> Exhibit C, # <u>9</u> Exhibit D, # <u>10</u> Exhibit E)(Marshall, C.) (Entered: 12/05/2017)
12/05/2017	<u>2</u>	Corporate Disclosure Statement by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Marshall, C.) (Entered: 12/05/2017)
12/05/2017		Case Assigned to Judge Royce C. Lamberth. (md) (Entered: 12/07/2017)
12/07/2017	<u>3</u>	SUMMONS (4) Issued Electronically as to U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (md) (Entered: 12/07/2017)
12/20/2017	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT served on 12/11/2017; UNITED STATES DEPARTMENT OF HOMELAND SECURITY served on 12/11/2017, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/8/2017. , RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United

		States Attorney on 12/8/2017. (Answer due for ALL FEDERAL DEFENDANTS by 1/7/2018.) (Marshall, C.) Modified on 12/21/2017 to add service and answer dates (zrdj). (Entered: 12/20/2017)
12/21/2017		NOTICE OF ERROR re <u>4</u> Summons Returned Executed as to Federal Defendant; emailed to ckmarshall@jonesday.com, cc'd 2 associated attorneys -- The PDF file you docketed contained errors: 1. Counsel is reminded to not select All Defendants, each parties must be selected so that service/answer date(s) will show. NO ACTION IS NEEDED (zrdj,) (Entered: 12/21/2017)
01/08/2018	<u>5</u>	ANSWER to <u>1</u> Complaint by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY.(Nebeker, William) Modified to add link on 1/9/2018 (znmw). (Entered: 01/08/2018)
02/08/2018	<u>6</u>	NOTICE of Appearance by Cormac A. Early on behalf of NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD (Early, Cormac) (Entered: 02/08/2018)
05/18/2018	<u>7</u>	ORDER directing the government to produce a Vaughn Index with a supporting motion to dismiss or motion for summary judgment by 6/21/2018. Signed by Judge Royce C. Lamberth on 5/17/18. (lsj) (Entered: 05/21/2018)
06/18/2018	<u>8</u>	Joint MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> , Joint MOTION for Briefing Schedule by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Nebeker, William) (Entered: 06/18/2018)
08/08/2018	<u>9</u>	ORDER granting <u>8</u> Motion for Extension of Time to File, nunc pro tunc and granting <u>8</u> Motion for Briefing Schedule. Plaintiff to Notify Defendants about issues Plaintiff would Challenge due by 8/17/2018. Defendant's Motion for Summary Judgment due by 9/18/2018. Plaintiff's Opposition to Motion for Summary Judgment due by 10/29/2018. Defendant's Reply to Motion for Summary Judgment due by 11/19/2018. Signed by Judge Royce C. Lamberth on 8/7/18. (lsj) (Entered: 08/10/2018)
09/18/2018	<u>10</u>	MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 09/18/2018)
10/02/2018	<u>11</u>	Memorandum in opposition to re <u>10</u> MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> filed by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Marshall, C.) (Entered: 10/02/2018)
10/18/2018	<u>12</u>	SCHEDULING ORDER. Summary Judgment motions due by 11/30/2018. Response to Motion for Summary Judgment due by 1/15/2019. Reply to Motion for Summary Judgment due by 2/12/2019. Signed by Judge Royce C. Lamberth on 10/17/18. (lsj) (Entered: 10/18/2018)
11/30/2018	<u>13</u>	Consent MOTION for Extension of Time to <i>File FOIA Motion for Summary Judgment</i> by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Nebeker, William) (Entered: 11/30/2018)
12/04/2018	<u>14</u>	ORDER granting <u>13</u> Motion for Extension of Time; Summary Judgment motions due by 1/15/2019. Response to Motion for Summary Judgment due by 3/4/2019. Reply to Motion for Summary Judgment due by 4/1/2019. Signed by Judge Royce C. Lamberth on 12/4/2018. (lcrc12) (Entered: 12/04/2018)
12/18/2018	<u>15</u>	Joint STATUS REPORT by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Early, Cormac) (Entered: 12/18/2018)
12/19/2018	<u>16</u>	NOTICE of Appearance by Benton Gregory Peterson on behalf of U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Peterson, Benton) (Entered: 12/19/2018)

01/08/2019	<u>17</u>	STATUS REPORT by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Early, Cormac) (Entered: 01/08/2019)
02/06/2019	<u>18</u>	ORDER directing the Defendants to file appropriate Vaughn Index and other supporting Summary Judgment motions by 2/15/2019. Signed by Judge Royce C. Lamberth on 2/5/19. (lsj) (Entered: 02/06/2019)
02/13/2019	<u>19</u>	Unopposed MOTION for Extension of Time to File <i>Dispositive Motion</i> by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 02/13/2019)
02/14/2019	<u>20</u>	ORDER granting <u>19</u> Motion for Extension of Time to File; Set/Reset Deadlines: defendant's summary judgment motion due by 3/18/2019. Signed by Judge Royce C. Lamberth on 02/14/2019. (lcrcl3) (Entered: 02/14/2019)
03/17/2019	<u>21</u>	MOTION for Extension of Time to File <i>Vaughn Index and Dispositive Motion</i> by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 03/17/2019)
04/09/2019	<u>22</u>	ORDER granting <u>21</u> Motion for Extension of Time to File; Summary Judgment motions due by 5/20/2019. Signed by Judge Royce C. Lamberth on 4/9/2019. (lcrcl2) (Entered: 04/09/2019)
04/30/2019	<u>23</u>	STATUS REPORT by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Marshall, C.) (Entered: 04/30/2019)
05/17/2019	<u>24</u>	Joint MOTION to Stay by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 05/17/2019)
05/20/2019	<u>25</u>	ORDER granting <u>24</u> Motion to Stay. The parties are directed to file a joint status report on or before July 22, 2019. Signed by Judge Royce C. Lamberth on 05/20/2019. (lcrcl2) (Entered: 05/20/2019)
05/21/2019		Set/Reset Deadlines: Joint Status Report due by 7/22/2019 (lsj) (Entered: 05/21/2019)
07/22/2019	<u>26</u>	Joint STATUS REPORT by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Early, Cormac) (Entered: 07/22/2019)
07/23/2019		MINUTE ORDER: The parties shall file another joint status report no later than August 20, 2019. Signed by Judge Royce C. Lamberth on 07/23/2019. (lcrcl2) (Entered: 07/23/2019)
07/24/2019		Set/Reset Deadlines: Joint Status Report due by 8/20/2019 (lsj) (Entered: 07/24/2019)
08/20/2019	<u>27</u>	Joint STATUS REPORT by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Nebeker, William) (Entered: 08/20/2019)
08/20/2019		MINUTE ORDER: Joint Status Report due by 9/20/2019. Signed by Judge Royce C. Lamberth on 08/20/2019. (lcrcl2) (Entered: 08/20/2019)
09/20/2019	<u>28</u>	Joint STATUS REPORT by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Marshall, C.) (Entered: 09/20/2019)
10/28/2019		MINUTE ORDER: Joint Status Report due by 11/20/2019. Signed by Judge Royce C. Lamberth on 10/28/2019. (lcrcl2) (Entered: 10/28/2019)
10/28/2019	<u>29</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. Attorney Cormac A. Early terminated. (Attachments: # <u>1</u> Text of Proposed Order)(Marshall, C.) (Entered: 10/28/2019)
10/29/2019	<u>30</u>	NOTICE of Appearance– Pro Bono by Kayla Marie Davis on behalf of NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD (Davis, Kayla) (Entered: 10/29/2019)

11/20/2019	<u>31</u>	Joint STATUS REPORT by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Davis, Kayla) (Entered: 11/20/2019)
11/21/2019		MINUTE ORDER: Joint Status Report due by 12/11/2019. Signed by Judge Royce C. Lamberth on 11/21/2019. (lcrcl2) (Entered: 11/21/2019)
11/22/2019	<u>32</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Khaled Alrabe, Filing fee \$ 100, receipt number ADCDC-6586765. Fee Status: Fee Paid. by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Davis, Kayla) (Entered: 11/22/2019)
11/25/2019	<u>33</u>	ORDER granting <u>32</u> Motion for Leave to Appear Pro Hac Vice Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for in structions. Signed by Judge Royce C. Lamberth on 11/25/2019. (lcrcl2) (Entered: 11/25/2019)
12/11/2019	<u>34</u>	STATUS REPORT by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Davis, Kayla) (Entered: 12/11/2019)
12/11/2019	<u>35</u>	STATUS REPORT by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Nebeker, William) (Entered: 12/11/2019)
01/02/2020		MINUTE ORDER: The parties shall submit a proposed order for a further schedule herein by 01/11/2020, jointly if possible, separately if necessary. Signed by Judge Royce C. Lamberth on 01/02/2019. (lcrcl3) (Entered: 01/02/2020)
01/02/2020		Set/Reset Deadlines: Proposed Order due by 1/11/2020. (znbn) (Entered: 01/06/2020)
01/13/2020	<u>36</u>	Joint STATUS REPORT by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Davis, Kayla) (Entered: 01/13/2020)
01/14/2020		MINUTE ORDER: Joint Status Report due by 3/4/2020. Signed by Judge Royce C. Lamberth on 01/14/2020. (lcrcl2) (Entered: 01/14/2020)
02/24/2020	<u>37</u>	NOTICE of Appearance by Khaled Alrabe on behalf of NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD (Alrabe, Khaled) (Entered: 02/24/2020)
03/04/2020	<u>38</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Robert Aaron Caplen on behalf of All Defendants Substituting for attorney W. Mark Nebeker (Caplen, Robert) (Entered: 03/04/2020)
03/04/2020	<u>39</u>	Joint STATUS REPORT by NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD. (Davis, Kayla) (Entered: 03/04/2020)
03/18/2020		MINUTE ORDER: Joint Status Report due by 5/4/2020. Signed by Judge Royce C. Lamberth on 3/18/2020. (lcrcl1) (Entered: 03/18/2020)
03/19/2020		Set/Reset Deadlines: Joint Status Report due by 5/4/2020 (lsj) (Entered: 03/19/2020)
05/04/2020	<u>40</u>	Joint STATUS REPORT by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Caplen, Robert) (Entered: 05/04/2020)
05/05/2020		MINUTE ORDER: Joint Status Report due by 6/30/2020. Signed by Judge Royce C. Lamberth on 05/05/2020. (lcrcl2) (Entered: 05/05/2020)
06/30/2020	<u>41</u>	Joint STATUS REPORT by U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Caplen, Robert) (Entered: 06/30/2020)
07/01/2020		MINUTE ORDER Status Report due by 9/18/2020. Signed by Judge Royce C. Lamberth on 07/01/2020. (lcmb) (Entered: 07/01/2020)